

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

AMBROSE, Chief District Judge.

MEMORANDUM ORDER OF COURT

On June 19, 2006, Defendants filed a Motion *in LImine* to Exclude Exhibits 95 and 107,¹ which is a videotape made in September of 1996 of MetLife sales representatives discussing confusion they or their customers have had regarding the accelerated payment ("AP") arrangement. (Docket No. 46). Plaintiff did not file a timely response thereto. As a result, on June 28, 2006, I entered an order granting Defendants' Motion. (Docket No. 90). On July 5, 2006, Plaintiff filed a Motion for Reconsideration asserting that the attorney responsible for filing the same had a stroke on the same day the response was due and had thought he had filed it before he left for the hospital. (Docket No. 107). Based on the same, I hereby vacate my order dated June 28, 2006 (Docket No. 90), and I will enter a separate

¹Plaintiff has identified the same document twice: once as Exhibit 95 and once as Exhibit 107.

Memorandum Order of Court considering the merits of Defendants' Motion *in Limine*.

THEREFORE, this **18th** day of July, 2006, after careful consideration of the Motion for Reconsideration (Docket No. 107) and the related submissions, it is ordered that the Motion (Docket No. 107) is granted and my order of June 28, 2006, at Docket No. 90 is vacated.

BY THE COURT:

/S/ Donetta W. Ambrose

Donetta W. Ambrose,
Chief U.S. District Judge